

**United States District Court
for the District of Massachusetts
Petition and Affidavit for Warrant or Summons for Offender Under Supervision**

Name of Offender: Nicole Bartlett

Case Number: 04-CR-10297-RWZ

Name of Sentencing Judicial Officer: Honorable Rya W. Zobel, U.S. District Judge

Date of Original Sentence: 5/10/05

Original Offense: Uttering Forged Securities

Original Sentence: 18 Months of incarceration, followed by 36 months of supervised release

Type of Supervision: supervised release

Date Supervision Commenced: 10/31/06

Asst. U.S. Attorney: Diane Freniere

Defense Attorney: Karen A. Pickett

PETITIONING THE COURT

- [] To issue a warrant
[X] To issue a summons

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number: **Nature of Noncompliance:** **Violation of Mandatory Condition: While on supervised release, the defendant shall not commit another federal, state, or local crime and shall not illegally possess a controlled substance.**
I

Shortly after commencing her term of supervised release, the defendant secured employment as a Sales Associate at Lord and Taylor, located at the South Shore Plaza, Braintree. Because of 3rd party risk concerns, Ms. Bartlett's employer was made aware of her involvement in the instant offense.

On May 23, 2007, Loss Prevention Manager (LPM) Stanley Sanon received an e-mail from Loss Prevention Central indicating that sales associate Nicole Bartlett had returned store merchandise in the amount of \$380.70, without a receipt, to store 68. Because the returned merchandise had not been purchased on her account, Regional LPM John Davis directed Sanon to monitor Bartlett closely.

On June 4, 2007, Ms. Bartlett came to the attention of the Local Loss Prevention Investigator (LLPI) Big-Hill Leconte when Bartlett used the remaining balance of a merchandise credit to pay for merchandise. A report written by Sanon indicates that:

At that point LLPI Big-Hill Leconte observed the subject take the purchases and proceed to the stock room in the dress dept. where we observed the subject via the Intellex select merchandise and conceal it in her shopping bag. She then exited the store via the lower mall doors without getting her bag checked. The subject then placed the merchandise inside her car. Moments later she returned to the store and back to work. I then approached Ms. Bartlett and questioned her about the bag she didn't get checked. After a long conversation the subject admitted that the merchandise she concealed in her car was stolen. I then escorted the subject to her car and recovered the merchandise

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and escorted her back to the LP office. Once in the office the value of the merchandise she stole was [determined to be worth] \$1,709.36. I began to interview the subject, during the interview the subject admitted that she had been stealing for several months and that she also had stolen merchandise at home. I then contacted RLPM Davis and informed him of Ms. Bartlett's verbal statement. He instructed me to have subject write a statement and consent to search form and go recover the stolen merchandise. Moments later LLPI Leconte and LPI Marcia Lara and I left with Ms. Bartlett to her home in Marshfield. Once we got there we recovered 11 bags of stolen merchandise, once we were done we returned back to the store where the subject wrote another statement and a property return slip. ASM [Assistant Store Manager] Fred Hopp then third party witnessed her statement. ASM Hopp then communicated to Ms. Bartlett that she would be suspended until central HR contacted her sometime this week.

Ms. Bartlett wrote and signed statements admitting that she stole store merchandise on June 4, 2007, and on previous occasions. The total value of the stolen merchandise was determined to be \$21,090.06. Her employment was subsequently terminated by Lord & Taylor.

On June 19, 2007, Mr. Sanon filed an Application for Criminal Complaint against subject in Quincy District Court which was to be heard on July 17, 2007. However, because the complainant did not appear for the hearing, the matter was continued to June 4, 2008.

U.S. Probation Officer Recommendation:

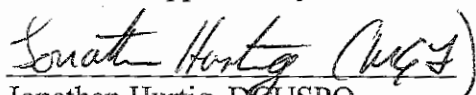
The term of supervision should be:

- ☒ Revoked
☐ Extended for year(s), for a total term of years.

☐ The conditions of supervision should be modified as follows:

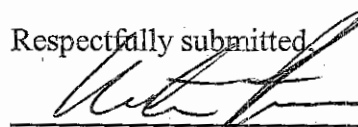
I declare under penalty of perjury that the foregoing is true and correct.

Reviewed/Approved by:


 Jonathan Hurtig, DCUSPO


Respectfully submitted,

By


 Martin Flynn
 Officer-in-Charge
 Date: 9/27/07

THE COURT ORDERS

- ☐ No Action
☐ The Issuance of a Warrant
☒ The Issuance of a Summons
☐ Other


 Honorable Rya W. Zobel,
 U.S. District Judge
 October 5, 2007
 Date